



2 IAP13 Recd PCT/PTO 26 FEB 2007

Attorney's Docket No.: 19672-004US1 / RET/PCG-9002US

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IN THE UNITED STATES RECEIVING OFFICE

Applicant : Aburatani et al.  
Serial No. : 10/570,647  
Filed : March 3, 2006  
Title : THERAPEUTIC AGENT AND DIAGNOSTIC AGENT FOR CHOLANGIOPRINCINOMA

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

In response to the Notification of Missing Requirements mailed October 26, 2006 (copy enclosed), Applicants as a large entity submit herewith the following:

- A Combined Declaration and Power of Attorney in compliance with 37 CFR §§1.63 and 1.497;
- A check for \$130 in payment of the surcharge for late filing of the declaration;
- An Application Data Sheet; and
- Petition for a Two-Month Extension of Time and check in the amount of \$450 for the extension fee.

The Notification of Missing Requirements requests a Sequence Listing under 37 CFR § 1.821(c). However, Applicants can find no biological sequence information in the specification or figures of the application. Furthermore, no sequence listing was filed or requested in the PCT application. Applicants request clarification or withdrawal of the request for submission of a Sequence Listing.

The name of inventor Masashi Fukayama was mistransliterated on the PCT application. An Application Data Sheet with the correct spelling is submitted herewith.

02/28/2007 GFREY1 00000147 10570647  
01 FC:1617 130.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV828215825US

2/26/2007  
Date of Deposit

Applicant : MASAHIWA FUKAYAMA  
Serial No. : 10/570,647  
Filed : March 3, 2006  
Page : 2 of 2

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9002US

Applicants submit that this perfects the application and that no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 19672-004US1.

Respectfully submitted,

Date: Feb 26, 2007

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# UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/570,647	Hiroyuki Aburatami	19672-004US1 RET/PCG-9002
INTERNATIONAL APPLICATION NO.		
PCT/JP04/13183		
I.A. FILING DATE	PRIORITY DATE	
09/03/2004	09/04/2003	
CONFIRMATION NO. 3007		
371 FORMALITIES LETTER		
*OC000000020979089*		

Date Mailed: 10/26/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/03/2006
- English Translation of the IA filed on 03/03/2006
- Copy of the International Search Report filed on 03/03/2006
- Copy of IPE Report filed on 03/03/2006
- U.S. Basic National Fees filed on 03/03/2006
- Substitute Specification filed on 03/03/2006
- Priority Documents filed on 03/03/2006
- Non-English Language Application filed on 03/03/2006
- Specification filed on 03/03/2006
- Claims filed on 03/03/2006
- Abstracts filed on 03/03/2006
- Drawings filed on 03/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

o **\$130 Surcharge.**

- o This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- o A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- o For Rules Interpretation, call (571) 272-0951
- o For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- o Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

**BARBARA A CAMPBELL**

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
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10/570,647

PCT/JP04/13183

19672-004US1 RET/PCG-  
9002

**FORM PCT/DO/EO/905 (371 Formalities Notice)**